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EXAMINER	
HINZE, LEO T	

ART UNIT	PAPER NUMBER
2854	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/533,437	BECKER ET AL.	
	Examiner	Art Unit	
	LEO T. HINZE	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 May 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *See Continuation Sheet* is/are pending in the application.

4a) Of the above claim(s) *123,124,126,128-136 and 138* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *69-71,73,76-78,80,82,84,105,112,115,118 and 121* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 May 2009* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continuation of Disposition of Claims: Claims pending in the application are 69-71,73,76-78,80,82,84,105,112,115,118,121,123,124,126,128-136 and 138.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 70, 71, 80, 73, 76, 105, 78, 121, 82, 77, 84, 112, and 69 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 80 is objected to because of the following informalities: claim 80 depends from cancelled claim 79.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 69-71, 73, 76, 78, 82, 84, 112, 115, and 121 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamashita et al., US 2003/0029603 A1 (hereinafter Yamashita).

a. Regarding claim 69, Yamashita teaches a rotating body of a printing press comprising: a rotating body barrel (4, Figs. 2-4), said barrel including a base body (18, Fig. 4) and an outer body (11, Fig. 4), said outer body being positioned radially outside of, and spaced from said base body; an outer surface on said base body; an inner surface on said outer body, said outer body inner surface being spaced from said base body inner surface and cooperating with said base body inner surface to define an annular space (see annular space between 11 and 18, Fig. 3); at least one sleeve of a thermal insulating material enclosed in said annular space, said at least one sleeve having a sleeve inner surface in contact with said base body outer surface and having a sleeve outer surface (sleeve 22, Figs. 3, 4); and at least one temperature control medium flow channel in said sleeve and including at least one inflow and at least one outflow for a temperature control medium which is flowable through said at least one channel in said sleeve of said thermal insulating material to exchange an amount of heat with said outer body of said rotating body barrel over a channel distance between said inflow and said outflow, said channel being formed in said outer surface of said sleeve of said thermal insulating material and being thermally insulated from said base body by said thermal insulating material (channels 23, Figs. 3, 4).

b. Regarding claim 70, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches wherein said channel is open toward said outer body inner surface (channel 23 open toward outer body 11, Fig. 3).

c. Regarding claim 71, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches wherein said channel has a bottom facing toward, and spaced from said base body surface (channel 23 open toward outer body 11, Fig. 3).

d. Regarding claim 73, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches wherein said channel is formed in said sleeve of a thermal insulating material by casting (it appears that 23 has a structure that is the same as one that has been cast, Fig. 3).

e. Regarding claim 76, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches wherein each of said sleeve of said thermal insulating material, said base body and said outer body have matched coefficients of thermal expansion (the coefficients of thermal expansion of 11, 22, and 18 appear to be matched, as the device functions properly).

f. Regarding claim 78, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches wherein said sleeve of said thermal insulating material is cast between said base body surface and said outer body inner surface (sleeve 22 appears to have the same structure as a sleeve that has been cast, Fig. 3).

g. Regarding claim 82, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches wherein said channel in said sleeve of said thermal insulating material is formed by injection molding

(sleeve 22 appears to have the same structure as a sleeve that has been injection molded, Fig. 3).

h. Regarding claim 84, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches wherein said outer body has an outer body outer shell surface and wherein said channel is located not more than 20 mm underneath said outer body outer shell surface (thickness of 11 is 18 mm, ¶ 0009).

i. Regarding claim 112, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches wherein said outer body includes an outer shell face which is adapted to support at least one dressing (it appears that a "dressing" can be applied to outer face of shell 11, Fig. 2).

j. Regarding claim 115, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches wherein said outer body is a curved element which at least partially encloses said base body (element 11 at least partially encloses the base body 18, Fig. 2).

k. Regarding claim 121, Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above. Yamashita also teaches a plurality of said sleeves of said thermal insulating material, each said sleeve including a portion of said channel and each being arranged on said base body in an axial direction of said base body (see multiple sleeves 22, Fig. 4).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 77, 80, and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita.

a. Regarding claim 77:

Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above.

Yamashita does not teach hollow glass bodies in said thermal insulating material. Yamashita is silent as to the actual material from which sleeve 22 is constructed.

It appears that hollow glass bodies are a well-known structural material.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Yamashita wherein hollow glass bodies are in said thermal insulating material, because hollow glass bodies are a well-known structural material, and one having ordinary skill in the art would look to the prior art to supply details of the material of construction that are absent from Yamashita.

b. Regarding claim 80:

Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above.

Yamashita does not teach wherein said sleeve is an injection-molded plastic. Yamashita is silent as to the actual material from which sleeve 22 is constructed.

It appears that injection-molded plastic is a well-known structural material.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Yamashita wherein said sleeve is an injection-molded plastic, because injection-molded plastic is a well-known structural material, and one having ordinary skill in the art would look to the prior art to supply details of the material of construction that are absent from Yamashita.

c. Regarding claim 105:

Yamashita teaches the rotating body of claim 69 as discussed in the rejection of claim 69 above.

Yamashita does not teach wherein said thermal insulating material is a synthetic resin. Yamashita is silent as to the actual material from which sleeve 22 is constructed.

It appears that synthetic resin is a well-known structural material.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Yamashita wherein said sleeve is a synthetic resin, because synthetic resin is a well-known structural material, and one having ordinary skill in the art would look to the prior art to supply details of the material of construction that are absent from Yamashita.

8. Claim 118 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita in view of Schneider et al., WO 01/26903 (hereinafter Schneider; references are to US equivalent 6,810,800 B1).

Yamashita teaches the rotating body of claim 115 as discussed in the rejection of claim 115 above.

Yamashita does not teach wherein said curved element has a central angle less than 360°.

Schneider teaches a cylinder for a rotary press (Figs. 1 and 2) with cooling channels and with a groove in the outer surface (22, Fig. 2) for fastening a dressing or a cover (col. 3, lines 32-33).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Yamashita wherein said curved element has a central angle less than 360°, because Schneider teaches that this creates a groove is advantageous for fastening a dressing or a cover to the outer surface of the cylinder.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is 571.272.2864. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571.272.2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leo T. Hinze
Patent Examiner
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04 September 2009

/Judy Nguyen/
Supervisory Patent Examiner, Art Unit 2854